Michigan Department of State

Uniform Commercial Code Customer Guide

This manual is a guide to filing documents with, and requesting searches from, the Michigan Uniform Commercial Code (UCC) document management system. The guide contains new filing procedures, sample forms, and fees under UCC Revised Article 9 as adopted in Michigan, effective July 1, 2001. For forms and other information, please see our web site at www.sos.state.mi.us/ucc.

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INTRODUCTION

The Secretary of State is responsible for filing and maintaining financing statements on secured transactions under Revised Article 9 (RA9) of the Uniform Commercial Code (UCC) as adopted in Michigan. These duties and functions of RA9 have been assigned to the Department of State UCC Office. In addition to filing and maintaining financing statements, amendments, and correction statements, the State UCC Office provides information to the public on filed documents through search requests.

This publication is a customer guide to filing, maintaining and reporting UCC documents recorded with the State UCC Office under the provisions of UCC RA 9, as enacted in Michigan. It also explains how to request searches of documents filed with the State UCC Office. This guide reflects current statutory requirements through the Regular Session of 2000 of the Michigan 90th Legislature.

This publication is not a technical or comprehensive manual on secured transactions under Revised Article 9 of the Uniform Commercial Code in Michigan and is neither a replacement for applicable statutes, nor a substitute for legal or other professional advice.

This customer information guide reflects UCC Revised Article 9 filing and search procedures that are effective July 1, 2001. Please see the frequently asked questions and UCC fee schedule on our web site: http://www.sos.state.mi.us/ucc, for procedures and fees currently in effect.

SPECIAL NOTES CONCERNING REVISED ARTICLE 9

On December 27, 2000, Michigan enacted UCC RA9 (P.A. 348 of 2000). This legislation, effective on July 1, 2001, is based on the UCC Revised Article 9 Model Act as drafted by the National Conference of Commissioners on Uniform State Laws. Objectives of UCC RA9 are to promote uniformity, reduce costs, increase efficiency, and simplify the filing process.

Some of the filing changes in UCC RA9 are noted below:

- Central filing: With the exception of collateral covering fixtures, timber and mineral receivables, all UCC financing statements are filed centrally with the State UCC office. The exceptions are filed with the county Register of Deeds.
- Correction statement: A person who believes that a financing statement is inaccurate or misfiled is permitted to file a "correction statement." This statement becomes linked to the initial financing statement and is reported in search results, but does not modify any information maintained by the State UCC Office.
- Debtor name: Explicit requirements for identifying individual and organization debtors in financing statements have been adopted.
- **Filing and search standards:** A two-business-day turnaround time for filing and searching has been enacted, but will not be immediately implemented.
- **Filing jurisdiction:** New provisions simplify where to file financing statements and make the location of collateral irrelevant to the filing location.
- **Forms:** There are five national standardized forms provided for filing financing statements and amendments. "Amendment" is defined to include amendments, continuations, assignments and terminations. A sixth form is the standard document for information requests.
- Limited grounds for filing rejection: The State UCC Office can reject documents only for specific reasons listed in the Act.
- Media neutrality: References to paper and paper-based filing systems have been eliminated, allowing electronic transmission of documents and search requests, if and when available.
- Records management and reporting: The State UCC Office must maintain each financing statement, link all subsequent filings, and report the record until one year after the lapse of the initial financing statement, even if the financing statement was terminated.
- **Signatures:** All signatures have been eliminated for financing statements.

1. FILING OFFICE FUNCTIONS UNDER REVISED ARTICLE 9

Under UCC RA9, the State UCC Office serves as an **administrative recording agency** that files, maintains, and reports information about filed UCC documents.

- For filing, the State filing office receives and files UCC documents in accordance with the provisions of UCC RA9. The State UCC Office can reject documents only for grounds expressly listed in UCC RA9. In filing a UCC document, the State UCC Office makes no determination of the legality, sufficiency or correctness of the document.
- For maintaining records, the State UCC Office uses an information management system to store, index, and retrieve images of UCC documents and data relating to such documents. Except as provided by UCC RA9, the State UCC Office transfers data from UCC documents to the information management system exactly as set forth in the documents. The State UCC Office does not detect or correct errors of any kind.
- The State UCC Office makes no determination concerning the effectiveness or validity of any UCC document accepted for filing which claims to name, change, add, or delete parties, or to assign or terminate security interests.
- In reporting, the State UCC Office searches and issues reports on all "active" financing statements, regardless of the filing of any amendments, assignments, terminations or correction statements which claims to change, add, or delete parties or to assign or terminate security interests. Search reports include information about the initial financing statement and any subsequent filings of record.

All financing statements accepted for filing remain "active" in the records of the State UCC Office, for all debtors and all secured parties named in either the initial financing statement or subsequent financing statement amendments, until one year after the financing statement lapses.

For example, an initial financing statement is filed naming two debtors. After one year, an amendment is filed deleting one of the two debtors. After two years, an amendment is filed assigning the security interest to a second secured party. After three years, an amendment is filed terminating the statement for the remaining debtor. This financing statement will remain on record as an "active" filing for **all** debtors and for **all** secured parties mentioned above for six years from the initial filing date (the five year period of the initial financing statement, plus one year).

Except as provided by UCC RA9, the State UCC Office processes a search request **exactly** as requested. The State UCC Office does not detect or correct errors of any

kind. The searcher must determine whether a particular financing statement is still effective with respect to a particular debtor or secured party.

TRANSITION PROVISIONS UNDER REVISED ARTICLE 9

UCC RA9 includes provisions governing financing statements filed before July 1, 2001. These provisions govern the effectiveness of such financing statements after July 1, 2001, and the procedures that must be used to ensure the security interests remain perfected.

TERMINATIONS IN PLACE

Section 9707 of the Michigan RA9 allows a financing statement filed at the county office under old Article 9 to be terminated at the county office, even though the office is no longer the proper place to file under RA9. A filing that requires termination does not require an "in lieu of" UCC1. File the termination where the original financing statement was filed. The secured party should determine when it is appropriate to terminate any financing statement.

"IN LIEU OF" FILINGS

Section 9706 authorizes an initial financing statement may be filed in place of a continuation statement. This type of filing is called "in lieu of" or ILO and is needed to address moving a filing to the proper filing office as defined under RA 9. Under ILO filing requirements, a UCC1 form is filed with the State UCC Office in place of a UCC3 in the former jurisdiction.

GUIDELINES FOR ILO FINANCING STATEMENTS

- 1. The secured party completes a UCC1 with current information for debtors, secured parties, and collateral. Follow the instructions on the reverse side of the UCC1 **and** include one of the two options explained in #2.
- 2. In addition to the standard filing information, an ILO financing statement requires special continuation wording in Box #4 of the UCC1 form.

Option A – Attaching Copies of Filings (the Recommended Solution): If copies of the previously filed financing statement are attached, include the following wording in Box #4:

"This financing statement is filed "in lieu of" a continuation statement. The financing statement(s) attached remain(s) effective."

Attach copies of the original financing statement and any later action financing statements.

Option B – Listing Filings: If previously filed financing statements are listed, include the following wording in Box #4:

"This financing statement is filed "in lieu of" a continuation statement. The financing statement(s) listed below remain(s) effective."

List all the information on the original financing statement and all later action statements including the state, the office in which the financing statement was filed, filing type (continuation, amendment, etc.,) filing dates, file numbers, and collateral.

- 3. An ILO may list multiple original financing statements and corresponding later action statements for a given debtor.
- 4. The secured party should determine whether or not to file an ILO filing under RA9. The Michigan Department of State UCC Office cannot give legal advice.

The transition provisions provide that ALL financing statements filed before July 1, 2001, will have an expiration date no later than June 30, 2006.

2. DOCUMENT FILING

CUSTOMER SERVICE INFORMATION

ACCOUNTS

To open a UCC billing account, call the Finance Division, Accounts Receivable Unit at **517.322.6716**. A monthly bill is sent to the customer for the total number of filings and searches transacted. The billing account also enables customers to order expedited searches by telephone or fax.

COUNTER SERVICE

Customers may file documents in person during normal business hours, 8:00 a.m. until 5:00 p.m., EST, Monday - Friday.

The State UCC Office is located on the **1st floor** of the Secretary of State Building, 7064 Crowner Drive at the State Secondary Complex, 15 miles west of Lansing.

FAX NUMBER

The State UCC Office fax number (only for expedited search requests by customers with accounts) is 517.322.5434.

FORMS AND FEE SCHEDULE

The forms required for use in filing UCC financing statements are listed below:

- **❖ National Financing Statement Form UCC1** (REV 7/29/98)
- **❖ National Financing Statement Addendum Form UCC1Ad** (REV 7/29/98)
- **❖ National Financing Statement Amendment Form UCC3** (REV 7/29/98)
- ❖ National Financing Statement Amendment Addendum Form UCC3Ad (REV 7/29/98)

For searches, use the UCC 11 search form. Sample copies of these forms are included at the end of this filing guide (pages 41-44) and are available for printing from our website.

See page 47 for the filing fee schedule.

INTERNET WEBSITE

The State UCC Office has a World Wide Web page that contains the following:

- General information about the State UCC Office
- Frequently asked questions on filing and searching
- Interactive forms which may be completed and printed on a local printer

- ❖ Fee schedules for UCC filing and search transactions
- This UCC Customer Guide

Access the State UCC Office's site at http://www.sos.state.mi.us/ucc.

MAILING ADDRESS

The mailing address of the State UCC Office is:

Michigan Department of State UCC Section P.O. Box 30197 Lansing, MI 48909-7697

UCC CODEBOOK

The Michigan Uniform Commercial Code (Public Act 174 of 1962, as amended,) is available for a fee. To order a copy, call the Finance Division, Cashier Unit at 517.322.1679.

This information is available at public libraries, law libraries, and other locations that have access to Michigan laws.

UCC INFORMATION

For assistance or information about UCC document filing and searches, please contact us at **517.322.1144** or email us at **uccsection@sosmail.state.mi.us.**

GENERAL FILING INFORMATION

ACCEPTED FILINGS

The State UCC Office returns an acknowledgment copy of the accepted UCC document to the submitter as documentation of the filing and receipt of appropriate fees or amount to be billed to an account customer. Notify the State UCC Office of any necessary corrections to information on the acknowledgment copy as soon as possible.

To modify incorrect database information correctly entered from the UCC document, file a financing statement amendment.

ADMINISTRATIVE DUTIES

The State UCC Office's duties and responsibilities are strictly administrative. The UCC Office:

1. Does not determine the legal sufficiency or insufficiency of a document;

- 2. Does not determine that a security interest in collateral exists or does not exist;
- 3. Does not determine that information in the document is correct or incorrect, in whole or in part; and
- 4. Does not create a presumption that information in the document is correct or incorrect, in whole or in part.

The responsibility for the legal effectiveness of a UCC filing rests with the filer. The State UCC Office is not authorized or qualified to determine the effectiveness of a UCC document.

DATABASE DESCRIPTION

The State UCC Office records initial financing statement information from UCC1 forms in the UCC computer assisted retrieval system database. This information is linked electronically to the filed microfilmed images. The UCC information management system database includes the following information:

- 1. Microfilm Roll Frame Number
- 2. Debtor Identification Number
- 3. Filing Date and Time
- 4. Type of UCC Document
- 5. UCC Filing Number
- 6. Original File Number
- 7. Name and Address of Search Requester
- 8. Name and Address of Debtor
- 9. Name and Address of Secured Party
- 10. Page Count (number of pages in submitted document)
- 11. Lapse Date
- 12. Billing Account Number

Information concerning subsequent financing statement amendments (including amendments, assignments, continuations and terminations) and correction statements is added to the database for the initial financing statement and is electronically linked to the filed images. The database does **not** include other information submitted with the financing statement, such as a description of the collateral or a description of attachments filed with the financing statement.

DATE & FILING TIME

The State UCC Office stamps UCC documents received with a date and time stamp. This date and time becomes the official filing date and time for filing if the document is accepted.

The filing time for a UCC document is the time the form is accepted for filing in person, or if mailed in, 9:00 a.m., that business day. A UCC document delivered after regular business hours or on a day the State UCC Office is not open for business will have a filing time of 9:00 a.m. on the next business day

FEE PAYMENT

UCC documents submitted for filing must include the correct fee payment, with check or money order made payable to the "State of Michigan," or provide a billing account number.

Payments by credit card, debit card, and prepaid account currently are not available.

UCC search requests (UCC11s) without an adequate payment amount will be processed and billed to the customer. UCC search requests may be billed to a UCC billing account number. To set up a billing account, call the Finance Division, Accounts Receivable Unit at **517.322.6716**.

FILE NUMBER

Each filed UCC financing statement (including a correction statement) is assigned a unique file number:

Financing Statement File Number Format				
Type of Filing	Format	Example		
UCC1s, UCC3s by Mail	1 letter + 6 digits	Z999999		
UCC1s, UCC3s by Counter	5 digits + 1 letter	99999Z		
State Tax Liens	ST + 6 digits	ST999999		
Federal Tax Liens	FL + 6 digits	FL999999		



Use the file number for identifying and referencing UCC initial financing statements, amendments and tax liens in all transactions and correspondence with the State UCC Office. The file number bears no relation to the time of filing and is not an indicator of priority.

FILING DELIVERY METHOD

The State UCC Office accepts UCC financing statements (including search requests) for filing via regular mail, express courier service, or in person.

Electronic mail and facsimile delivery, electronic data interchange (EDI), and direct on-line and web page data entry are currently not available.

FORMS

UCC initial financing statement and amendment documents in written form must be submitted on National UCC1, UCC1Ad, UCC3, and UCC3Ad Forms (REV 7/29/98) (see pages 41-44). UCC search requests must be submitted in a format that contains the required information and that clearly conveys the scope of the requested search (see pages 29-31). A UCC11 search form is included at the end of this filing guide (see page 44), and this search form is strongly recommended.

GLOBAL FILINGS

The Section's current UCC information management system is not able to process global or "blanket" filing amendments.

LEGIBILITY

All UCC financing statements, including correction statements and search requests must be typed or printed clearly. To ensure clear images, avoid highlighting, light colored ink, and colored paper.

MICROFILMING

A UCC document received by the State UCC Office is microfilmed and data entered into the Department's UCC information management system. After processing, an acknowledgment copy of the original document is returned to the customer.

MODIFICATIONS

The following modifications are made in recording debtor and secured party information:

- Only upper case letters are used; all lower case letters are changed to upper case letters.
- 2. "The" is omitted from the beginning of a name.
- 3. All apostrophes, commas and periods (but no other punctuation or symbols) are omitted from a name. Other punctuation such as hyphens are included.
- 4. Name prefixes (e.g., Dr., Ms. or Mr.) are omitted from the beginning of a name.
- 5. Name endings or indications of status (e.g., MD or Esquire) are omitted; name endings of lineage (e.g., Jr. or III) are included.
- 6. Filers should provide full names on their documents. Business and individual names that exceed the fixed lengths noted below are entered as presented to the State UCC Office, up to the maximum length of the data entry fields.

Form Field	Maximum characters (including spaces)
Individual first name	35
Individual middle name	35
Individual last name	100
Individual suffix	5
Business name	100

The State UCC Office will refuse a UCC financing statement or financing statement amendment that adds a debtor but fails to specify whether the debtor is an individual or an organization.

A UCC financing statement stating the name of an individual and the name of an organization on a single line and not in a designated individual name field will be refused by the State UCC Office.

The State UCC Office will refuse a UCC financing statement that fails to designate the last name of an individual debtor in the appropriate field of an initial financing statement, or an amendment adding an additional name.

In cases where non-standard forms are used, the filing office may accept the filing with an additional \$7 non-standard form fee. The form must provide all the information required from the national form.

MULTIPLE COPIES

A duplicate copy must be included with every UCC financing statement submitted for filing. Submit two copies; one copy for data entry and microfilming, and the second copy for return to the filing party as an acknowledgment. Include a self-addressed, stamped envelope.

PARTIALLY ACCEPTED FILINGS

A financing statement may be partially accepted for filing by the State UCC Office if it contains multiple debtors/secured parties and some names, or addresses are missing, or illegible. In this case, an acknowledgment copy and letter inform the filer that debtors/secured parties highlighted on the acknowledgment copy were not indexed. Submit a new UCC3 financing statement, with the letter, to record such parties.

PUBLIC RECORDS

UCC records are available to the public. Copies of UCC documents are currently available only in paper form. Search fees are listed on page 47.

REJECTED FILING ERRORS

If a secured party or a remitter demonstrates to the satisfaction of the State UCC Office that a UCC document should not have been rejected, the State UCC Office will file the document with a filing date and time assigned when the filing actually occurs. The State UCC Office will file a correction statement that states that the effective date and time of the filing is the date and time the UCC document was originally received for filing.

REJECTED FILINGS

The State UCC Office returns documents rejected for filing to the filer, with a letter identifying the reason(s) for rejection. Return the corrected document and letter to the State UCC Office.

STANDARDIZED DATA ENTRY OF INFORMATION

A filing must designate whether a name is of an individual or an organization and, if an individual, designate the first, middle, and last names, and any suffix. Inclusion of names in an incorrect field, or failure to transmit names accurately to the State UCC Office, may cause filings to be ineffective even though the document will be accepted for filing. The following rules apply to the data entry of names:

- Except as noted above in "**MODIFICATIONS**," enter organization names **exactly** as printed on the form.
- Except as noted above in "MODIFICATIONS," enter individual names into the first, middle, last name and suffix fields **exactly** as printed on the form.

STAPLES

Avoid excessive use of staples. They impede the filing process.

3. FILING A UCC DOCUMENT WITH THE STATE UCC OFFICE

PLACE OF FILING

In general, to perfect a UCC security interest in Michigan, file financing statements with the Michigan Department of State UCC Office.

Transmitting Utilities

The proper place to perfect a security interest in collateral, including fixtures, of a transmitting utility (see Glossary, pages 39-40) is the State UCC Office.

County Filings

If the collateral is one of the following:

- as-extracted collateral
- timber to be cut
- if the financing statement is filed as a fixture filing and the collateral is goods that are or are to become fixtures (see Glossary, pages 39-40), the financing statement should be filed in the Register of Deeds office in the county in which a mortgage on the real estate would be filed or recorded.

FINANCING STATEMENT REQUIREMENTS (UCC1)

GENERAL INSTRUCTIONS

An initial financing statement must be filed on the National Financing Statement Form UCC1 (REV 7/29/98), and, if applicable, the National Financing Statement Addendum Form UCC1Ad (REV 7/29/98). (See pages 41-42 for sample copies of these forms.)

Item numbers and letters mentioned below refer to items on these forms.

The UCC billing account number, if assigned, is included in Item #A, next to the contact name and telephone number.

Item #B is completed so the State UCC Office may return the UCC1 document together with an acknowledgment or rejection letter, as appropriate.

Complete the following information on the forms:

1. Enter the debtor's exact full legal name in item #1a or #1b, BUT NOT BOTH; "Organization" means an entity having a legal identity separate from its owner. A partnership is an organization; a sole proprietorship is not an organization, even if it does business under a trade name. If the debtor is a partnership, enter the exact full legal name of the partnership; the names of partners need not be entered as

additional debtors. If the debtor is a registered organization (for example, a corporation, limited partnership, or limited liability company), examine the debtor's currently filed organization documents to determine the debtor's correct name.

"Individual" means a natural person and includes a sole proprietorship, whether or not operating under a trade name. Do not use prefixes (such as Mr., Mrs., and Ms.). Use the suffix box only for titles of lineage (such as Jr., Sr., and III) and **not** for other suffixes or titles (for example, MD). Use a married woman's personal name (for example, Mary Smith, not Mrs. John Smith). Enter the individual debtor's family name (surname) in the Last Name box, first given name in the First Name box, and all additional given names in the Middle Name box.

For both organizations and individual debtors, do **not** use the debtor's trade name, DBA, AKA, FKA, division name, etc., in place of or combined with the debtor's legal name. Additional names of the debtor may be added as additional debtors, but this is neither required nor recommended.

- 2. Enter the debtor's complete mailing address in item #1c (see important note concerning address requirements on page 16). If the debtor is an organization, provide all three information items in #1e, #1f, and #1g. Michigan does not issue corporate identification numbers, so for registered Michigan organizations checking the None box is sufficient to complete item #1g.
- 3. If applicable, enter a second debtor's exact full legal name in item #2a or #2b, BUT NOT BOTH.
- 4. Enter the second debtor's complete mailing address in item #2c (see important note concerning address requirements on page 16). If the debtor is an organization, provide the three information items in #2e, #2f and #2g. Michigan does not issue corporate identification numbers, so check the None box in item #2g.
- 5. Enter the secured party's name in item #3a or #3b, BUT NOT BOTH.
- 6. Enter the secured party's complete mailing address in item #3c (see important note concerning address requirements on page 16).
- 7. Enter in item #4 the collateral covered by the financing statement (#4). The statement may appear in this box or as an attachment on either National Financing Statement Addendum UCC1Ad (REV 7/29/98) or other attached additional page(s).
- 8. If the debtor is a trust or a trustee acting with respect to property held in trust, enter the debtor's name in item #1 and attach a National Financing Statement Addendum Form UCC1Ad (REV 7/29/98), checking item #17.

If the trust is named in documents of organization, the full legal name of the trust is entered in item #1a. Use the name of the trustee or settlor. If a trustee is an organization, enter the name in item #1a; if a trustee is an individual, enter the name in item #1b. A UCC document that uses a trustee's name should include other information to distinguish the debtor trust from other trusts having the same trustee. All financing statements filed against trusts or trustees acting with respect to property held in trust should indicate the nature of the debtor. However, index such information as part of the debtor's name ONLY if it is supplied in the appropriate locations in item #1a or #1b.

- 9. If the debtor is a decedent's estate, enter the name of the deceased individual in item #1b (DO NOT USE #1a), and attach a National Financing Statement Addendum Form UCC1Ad (REV 7/29/98), checking the appropriate box in item #17.
- 10. If there has been a total assignment of the secured party's interest before filing the UCC1, either of the following procedures may be used:
 - (a) Enter the assignor secured party's name and mailing address in item #3 (see important note concerning address requirements on page 16), and file a National Financing Statement Amendment Form UCC3 (REV 7/29/98). (Note: an additional filing fee is required for filing the UCC3)
 - (b) Enter the total assignee's name and mailing address in item #3 (see important note concerning address requirements on page 16), and, if desired, attach a National Financing Statement Addendum Form UCC1Ad giving the assignor secured party's name and address in item #12 (Note: under this option, the "initial" secured party/assignor is not considered a secured party of record and is not indexed as a secured party).
- 11.If the financing statement is filed for a manufactured-home transaction as defined in Revised Article 9 (see Glossary, pages 39-40), attach a National Financing Statement Addendum Form UCC1Ad (REV 7/29/98), checking the appropriate box in item #18. The filing will then have a 30-year expiration. (If the appropriate box in item #18 is not checked, the financing statement will be recorded with an expiration date of five years.)
- 12. If the debtor is a transmitting utility as defined in Revised Article 9 (see Glossary, pages 39-38), attach a National Financing Statement Addendum Form UCC1Ad (REV 7/29/98), checking the appropriate box in item #18. The filing will then have no expiration. (If the appropriate box in item #18 is not checked, the financing statement will be recorded with an expiration date of five years.)
- 13. A consignor, lessor, or other bailor of goods, a licensor, or a buyer of a payment of intangible or promissory note may file a financing statement using

the terms "consignor", "consignee", "lessor", "lessee", "bailor", "bailee", "licensor", "licensee", "owner", "registered owner", "buyer", "seller", or words of similar import, instead of the terms "secured party" and debtor." The applicable alternative designation may be checked in item #5.

The State UCC Office is required to reject any financing statement that does not include mailing address information for listed debtors, secured parties, and/or assignees. The submitted address information must include location information sufficient for use as a mailing address. In other words, the address must include at least a street and number (or post office box number, general delivery, rural route, etc.), city, state and zip code.

The financing statement must be accompanied by payment in full, or a state billing account number.

The filing fee for an initial financing statement (UCC1) is \$10.00 for the first two debtor names and \$10.00 for each debtor name more than two. Each different address listed for a debtor is considered a separate debtor for fee calculation purposes. There is an additional filing fee of \$12.00 for more than 100 pages. See the table on page 47 for more fees.

To include a search request with a filing, check the applicable sections of box #7 or **preferably**, attach a UCC11 information request form. Unless specifically requested, the search will provide an information listing only.

INITIAL FINANCING STATEMENT REJECTION REASONS

An initial financing statement will be rejected for filing ONLY for one or more of the following reasons:

- The debtor last name is missing.
- The debtor address is missing or incomplete.
- The secured party name is missing.
- □ The secured party address is missing or incomplete.
- □ The record is not communicated by an authorized method or medium. Written records are filed on the National Financing Statement Form UCC1 (REV 7/29/98) and, if applicable, National Financing Statement Addendum Form UCC1Ad (REV 7/29/98).
- □ The minimum correct fee is not submitted with the record.
- The UCC account number is missing.

- The record is submitted with illegible writing.
- Debtor is not identified as either an individual or organization.
- □ If there is an assignee, the record does not provide the name and address on the UCC1 and the original secured party name on the UCC1 Addendum.
- Type, jurisdiction, and corporate identification number or none are not included for an organization.



By law, an initial financing statement is accepted for filing in all other cases, even if the record omits legally required information to make the statement effective.

For example, a financing statement will be accepted for filing even if one or more of the following occur:

- The document appears to contain misspelled or other apparently incorrect information.
- The document appears to identify a debtor or secured party incorrectly.
- The document contains additional or irrelevant information of any kind.
- The document contains less than the information required by UCC Revised Article 9 (other than mandatory information required for filing as noted above).
- The document incorrectly identifies collateral, or contains an illegible or unintelligible description of collateral, or appears to contain no such description.
- The document indicates it is to be filed or recorded in the real estate records.
- The document is accompanied by funds in excess of the full filing fee.

FINANCING STATEMENT FILING PERIOD

All financing statement expiration (lapse) dates consist of a month, day, and year.

Except as noted below, a financing statement is effective for five years after the filing date. The lapse date is exactly five years after the filing date. If a timely continuation statement is filed, the effective date is extended an additional five years.

 A financing statement that indicates in item #18 of the UCC1Ad that it is filed for a manufactured-home transaction is effective for a period of thirty years after the date of filing. The lapse date is calculated as the same date of the same month as the filing date in the thirtieth year after the filing date.

- A financing statement that states in item #18 of the UCC1Ad that the debtor is a
 transmitting utility has no lapse date and remains active until one year after it is
 terminated with respect to all secured parties of record. (Note: Due to limitations
 of the State UCC office's existing information management system, such a
 financing statement may be listed with a "lapse date" of 01/01/3000.)
- A lapse takes effect midnight of the end of the lapse date. The anniversary for a
 February 29 filing date is March 1 in the fifth year (or thirtieth year if
 manufactured-home transactions) following the year of the filing date.
- If a financing statement's lapse date falls on a Saturday, Sunday, or legal holiday, the financing statement does not expire until the next day which is not a Saturday, Sunday, or legal holiday.
- A financing statement lapses on the expiration date unless a continuation statement is filed in a timely manner (see next section).

4. FINANCING STATEMENT AMENDMENT REQUIREMENTS (UCC3)

GENERAL INSTRUCTIONS APPLYING TO AMENDMENTS, CONTINUATIONS, ASSIGNMENTS, AND TERMINATIONS

A financing statement amendment must be filed on the National Financing Statement Amendment Form UCC3 (REV 7/29/98) and, if applicable, the National Financing Statement Amendment Addendum Form UCC3Ad (REV 7/29/98). (See pages 43-44 for copies of these forms.) Item numbers and letters mentioned below refer to items on these forms.

- 1. Item #A includes the UCC billing account number, if assigned, next to the contact name and telephone number.
- 2. Complete item #B for the State UCC Office to return the UCC3 document together with an acknowledgment copy or rejection letter, as appropriate.
- 3. The amendment must include the file number of the initial financing statement.
- 4. Identify the party authorizing the financing statement amendment in item #9. In most cases, the name will be a secured party of record.
- 5. If there is more than one authorizing secured party, additional name(s) may be included in item #13 of the Form UCC3Ad.
- 6. Enter the assignor's name in item #9, if the amendment is an assignment.

IMPORTANT NOTE: The State UCC Office is required to reject any financing statement that does not include mailing address information for added debtors, secured parties, and/or assignees or for debtors or secured parties whose addresses are being modified. The submitted address information must include location information for use as a mailing address. In other words, the address must include at least a street and number (or post office box number, general delivery, rural route, etc.), city, state and zip code.

- 7. If multiple transactions (amendment, assignment, continuation, and/or termination) are required, use a separate UCC3 form for each transaction, with a filing fee of \$10 for the first two debtor names and \$10 for each indexed name after two.
- 8. A change amendment can be processed as a single amendment that modifies more than one item. For example, adding collateral and changing the debtor name is considered one filing. However, a termination or a continuation must be on a separate form.

9. Each different address for a debtor is considered a separate debtor name for filing fee purposes. The filing fee is calculated from the number of debtor names indexed. For example, if the original filing listed three debtor names and the amendment added two debtor names, the total filing fee is for five debtor names.

Initial Number of Debtors on Financing Statement	Type of Amendment	Filing Fee Due	Number of Names Indexed
1 Debtor	Adding 2 Debtors	\$20	3
1 Debtor	Adding 3 Debtor Addresses	\$30	4
2 Debtors	Adding 2 Debtors	\$30	4
2 Debtors	Adding 2 Debtor Addresses	\$30	4
3 Debtors	Adding 3 Debtor Addresses	\$60	6

10. There is an additional filing fee of \$12 for more than 100 pages.

CHANGE AMENDMENTS

File a UCC3 to:

- Change a debtor or secured party's address.
- Change a debtor or secured party's name.
- Delete a debtor or secured party.
- Add a debtor or secured party.
- Change the collateral.

To change a debtor or secured party's address on form UCC3:

- Provide a name and address in item #B where the original document and acknowledgment copy or rejection letter can be sent (see general instructions, page 19);
- 2. Enter the file number of the initial financing statement to which the amendment relates in item #1a (see general instructions, page 19);
- 3. Check the appropriate box in item #5 to indicate whether the amendment changes information relating to a debtor or to a secured party, **BUT NOT BOTH**;
- 4. Check the box in item #5 indicating that the purpose of the amendment is to "CHANGE name and/or address";
- 5. Enter the name of the affected party in either item #6a or #6b, as appropriate **BUT NOT BOTH**;
- 6. Enter the new mailing address in item #7c (see important note concerning address requirements on page 19); and

7. Enter the name of the party authorizing the amendment in item #9a or #9b **BUT NOT BOTH** (see general instructions, page 19).

To change a debtor or secured party's name on form UCC3:

- 1. Provide a name and address in item #B where the original document and acknowledgment copy or rejection letter can be sent (see general instructions, page 19);
- 2. Enter the file number of the initial financing statement to which the amendment relates in item #1a (see general instructions, page 19);
- 3. Check the appropriate box in item #5 to indicate whether the amendment changes information relating to a debtor or to a secured party **BUT NOT BOTH**;
- 4. Check the box in item #5 indicating that the purpose of the amendment is to "CHANGE name and/or address";
- 5. Enter the name of the affected party in either item #6a or #6b, as appropriate **BUT NOT BOTH**:
- 6. Enter the new name in item #7a or #7b, as appropriate **BUT NOT BOTH**; and
- 7. Enter the name of the party authorizing the amendment in item #9a or #9b **BUT NOT BOTH** (see general instructions, page 19).

To delete a debtor or secured party on form UCC3:

- 1. Provide a name and address in item #B where the original document and acknowledgment copy or rejection letter can be sent (see general instructions, page 19);
- 2. Enter the file number of the initial financing statement to which the amendment relates in item #1a (see general instructions, page 19);
- 3. Check the appropriate box in item #5 to indicate whether the amendment changes information relating to a debtor or to a secured party **BUT NOT BOTH**;
- 4. Check the box in item #5 indicating that the purpose of the amendment is to "DELETE name";
- 5. Enter the name of the deleted party in either item #6a or #6b, as appropriate **BUT NOT BOTH**; and

6. Enter the name of the party authorizing the amendment in item #9a or #9b **BUT NOT BOTH** (see general instructions, page 19).

To add a debtor or secured party on form UCC3:

- 1. Provide a name and address in item #B where the original document and acknowledgment copy or rejection letter can be sent (see general instructions, page 19);
- 2. Enter the file number of the initial financing statement to which the amendment relates in item #1a (see general instructions, page 19);
- 3. Check the appropriate box in item #5 to indicate whether the amendment changes information relating to a debtor or to a secured party **BUT NOT BOTH**;
- 4. Check the box in item #5 indicating that the purpose of the amendment is to "ADD name":
- Enter the name of the added party in either item #7a or #7b, as appropriate BUT NOT BOTH;
- 6. Enter the mailing address of the added party in item #7c (see important note concerning address requirements on page 19). If the debtor is an organization, provide the three information items in #1e, #1f and #1g, remembering that Michigan organizations do not have corporate identification numbers;
- 7. Enter the name of the party authorizing the amendment in item #9a or #9b **BUT NOT BOTH** (see general instructions, page 19).

To make a collateral change on form UCC3:

- 1. Provide a name and address in item #B where the original document and acknowledgment/rejection letter can be sent (see general instructions, page 19);
- 2. Enter the file number of the initial financing statement to which the amendment relates in item #1a (see general instructions, page 19);
- Check only one box in item #8 indicating whether the information provided describes collateral deleted or added, gives an entire restated collateral description (a partial release of collateral is a deletion);
- Describe the collateral change (if the space is insufficient, use item #13 of the National Financing Statement Amendment Addendum Form UCC3Ad (REV 7/29/98); and

5. Enter the name of the party authorizing the amendment in item #9a or #9b **BUT NOT BOTH** (see general instructions, page 19).



If, due to a full release of collateral, the filer no longer claims a security interest under the identified financing statement, identify the amendment as a termination (item #2), not a collateral change (item #8).

EFFECTS OF AMENDMENTS

An amendment has no effect on the status of a financing statement or on any existing debtor or secured party. A financing statement will remain active on the records of the State UCC Office until one year after the financing statement lapses, regardless of the filing of any amendments. Any debtor or secured party identified in the initial financing statement or added because of a subsequent amendment will remain indexed as a debtor or secured party, respectively.

- If an amendment changes the name of a debtor, the initial financing statement and all related UCC documents are indexed under both the debtor's old name and new name. In other words, a search under either the debtor's old name or the debtor's new name should both reveal the initial financing statement and related UCC documents.
- 2. If an amendment changes the name of a secured party, the new name is added to the index as if it were a new secured party of record.
- 3. If an amendment adds a new debtor, the name is added as a new debtor on the financing statement.
- 4. If an amendment adds a new secured party, the new secured party name is added as a new secured party on the financing statement.
- 5. If an amendment deletes a debtor, no changes are made to the indexed record other than filing the amendment. (No changes are made even if the amendment purports to delete all debtors of record.)
- If an amendment deletes a secured party, no changes are made to the record other than filing the amendment. (No changes are made even if the amendment claims to delete all secured parties of record.)

An amendment affects only the interests or rights of the party or parties authorizing the amendment.

CONTINUATIONS

A continuation statement (UCC3) may be filed up to six months before the expiration of the financing statement. After the timely filing of a continuation statement, the financing statement is effective for an additional five-year period from the previous lapse date, or an additional thirty-year period for mobile home transactions. The financing statement may be continued for additional five-year periods (thirty-year periods for manufactured homes).

An authorized secured party may continue the effectiveness of its security interest(s) on form UCC3 by following these steps:

- Provide a name and address in item #B where the original document and acknowledgment copy or rejection letter can be sent (see general instructions, page 19);
- 2. Enter the file number of the initial financing statement to which the amendment relates in item #1a (see general instructions, page 19);
- 3. Check the box in item #3;
- 4. If the debtor is an organization, provide the three information items in #7e, #7f and #7g, remembering that Michigan organizations do not have corporate identification numbers; and
- 5. Enter the name of the party authorizing the continuation in item #9a or #9b **BUT NOT BOTH** (see general instructions, page 19).

ASSIGNMENTS

A secured party may assign all or part of the assignor's interest under the identified financing statement.

To make an assignment on the UCC3, complete these steps:

- 1. Provide the name and telephone number of the contact in item #A. If billing to an account, include the account number of filer.
- 2. The acknowledgment /rejection letter will be sent to the name and address provided in item #B (see general instructions, page 19);
- 3. Enter the file number of the initial financing statement to which the amendment relates in item #1a (see general instructions, page 19);
- 4. Check the box in item #4:

- Enter the name of the assignee in either item #7a or #7b, as appropriate BUT NOT BOTH;
- 6. Enter the address of the assignee in item #7c. If the debtor is an organization, provide the three information items in #7e, #7f and #7g, remembering that Michigan organizations do not have corporate identification numbers;
- 7. If a partial assignment affects only some (but not all) of the collateral covered by the identified financing statement, check the appropriate box in item #8 and indicate the affected collateral in item #8; and
- 8. Enter the name of the assignor in item #9a or #9b **BUT NOT BOTH**.
 - An initial financing statement (UCC1) may be used to designate an assignment of a security interest. However, the "initial" secured party/assignor is not considered a secured party of record and is not indexed as a secured party.

An assignment has no effect on the status of a financing statement or on any existing debtor or secured party, except that each assignee named in the assignment becomes a secured party of record. Because the State UCC Office has no authority to determine whether an assignment is authorized, a secured party of record on a financing statement will show an indexed secured party until one year after the lapse of the filing date, even if that secured party has assigned interests to someone else.

TERMINATIONS

To terminate the security interest(s) of the authorizing secured party on form UCC3:

- 1. Provide the name and phone number of the contact in item #A. If billing to an account, include the account number of filer;
- 2. The acknowledgment copy or rejection letter will be sent to the name and address provided in item #B (see general instructions, page 19);
- 3. Enter the file number of the initial financing statement to which the amendment relates in item #1a (see general instructions, page 19);
- 4. Check the box in item #2;
- 5. If the debtor is an organization, provide the three information items in #7e, #7f and #7g, remembering that Michigan organizations do not have corporate identification numbers;
- Enter the name of the party authorizing the termination in item #9a or #9b BUT NOT BOTH (see general instructions, page 19); and

7. The form for terminating any financing statement is the UCC3 amendment form. Fees for terminating are \$10 for the first two debtors and \$10 for each debtor after the first two.

A termination has no effect on the status of a financing statement or any party to the financing statement. The financing statement remains active in the State UCC Office records until one year after it lapses. If the termination relates to a financing statement filed against a transmitting utility, the financing statement becomes inactive one year after it is terminated.

FINANCING STATEMENT AMENDMENT REJECTION REASONS:

A financing statement amendment will be rejected for filing **ONLY** for one or more of the following reasons:

- □ The record does not legibly identify the new debtor's last name when the new debtor is identified as an individual.
- □ The record to add a new secured party or assignee does not legibly provide the new party's name.
- □ The record to add a new debtor, secured party, or assignee does not legibly provide the new party's mailing address.
- □ The record is not communicated by an authorized method or medium. Written records are filed on the National Financing Statement Amendment Form UCC3 (REV 7/29/98) and, if applicable the National Financing Statement Amendment Addendum Form UCC3Ad (REV 7/29/98).
- □ The filing fee is not paid, or a valid state billing account number is not provided.
- □ The record is submitted with illegible writing.
- □ The debtor is not identified as either an individual or an organization.
- □ The record does not legibly identify the file number of an active initial financing statement.
- □ The document does not identify ANY amendment type of transaction in item #2, #3, #4, #5 or #8.
- □ The record for a continuation is not filed within the six-month window before the lapse date.

□ If the debtor is an organization, provide the three information items in #7e, #7f and #7g, remembering that Michigan organizations do not have corporate identification numbers.

By law, the State UCC Office will accept a financing statement amendment for filing in all other cases, even if the record omits information that is legally required to make the statement effective.

For example, an amendment will be accepted for filing even if:

- The document contains a misspelling or other incorrect information;
- The document appears to identify a debtor or secured party incorrectly;
- The document contains additional information of any kind;
- The document contains less than the information required by UCC Revised Article 9 (other than mandatory information required for filing as noted above);
- The document does not identify the party authorizing the amendment.
- The document incorrectly identifies collateral, or contains an illegible or unintelligible description of collateral, or appears to contain no such description;
- The document indicates that it is to be filed or recorded in the real estate records; or
- The document is accompanied by funds in excess of the full filing fee. Excess fees over \$10.00 are refunded.

5. CORRECTION STATEMENT

A correction statement is a UCC document that claims a financing statement is inaccurate or wrongfully filed. Correction statements are used by **debtors**, not secured interests.

Submit a correction statement in writing on a UCC 5 form, identifying it as a "correction statement," and include the file number of the initial financing statement. Provide a name and address for acknowledgment copy or rejection letter.

A correction statement is indexed with the financing statement and is noted on search reports. However, a correction statement has no effect on the status of the financing statement or on any party to the financing statement, and no information is modified in the UCC information management system.

The filing fee for a correction statement is \$10 for the first two debtor names and \$10 for each debtor name after the first two. There is an additional \$12 filing fee for attached pages exceeding 100.

CORRECTION STATEMENT REJECTION REASONS

A correction statement will be rejected for filing **ONLY** for one or more of the following reasons:

- □ The record is not communicated by an authorized method or medium.
- □ The applicable filing fee is not paid.
- □ The record does not legibly identify the file number of an active initial financing statement.
- □ The record does not identify itself as a correction statement.

6. UCC SEARCHES AND COPIES

SUBMITTING A UCC SEARCH OR COPY REQUEST

The State UCC Office maintains a searchable index for all active UCC records. The index allows record retrieval by debtor name, file number of the initial financing statement, and each UCC document relating to the initial financing statement. Information from the State UCC Office regarding perfected financing statements is available only through a search request.

Search requests may be made by regular mail, express courier service, or in person. Only account customers may request expedited searches via fax at 517.322.5434 or by telephone at 517.322.1144. Electronic mail, electronic data interchange (EDI), direct online, and web page search delivery methods are currently not available.

A person may request the State UCC Office to search the UCC records to determine whether there are any active financing statements for a debtor. However, it is the responsibility of the requestor, not the State UCC Office, to determine whether a particular financing statement naming a particular debtor is effective.

For an accurate search, use the Michigan Information Request Form UCC11 (REV 10/19/01) (see page 46 for a sample form). Item numbers and letters mentioned below refer to items on this form.

To obtain a search, submit a search request and include the following information:

- 1. Requesting party The name and address of the person to whom the search report is sent must be included on the search request. Enter the contact name and phone number in item #A. Enter the billing account number, if available, in item #B. Enter the name and address for return acknowledgement or rejection letter, in item #C. In item #D, select an expedited or regular search. Expedited orders received before 11:00 a.m. will be available for pick up after 3:00 p.m. the same business day. Expedited searches are an additional \$25 per debtor name requested. In item #E, select delivery by regular mail, pick-up or express mail. All search results are returned by regular mail unless otherwise specified. Courier pick-ups are available from the State UCC Office at 7064 Crowner Drive, Lansing, Michigan. Express mail customers must complete name and account information on the Michigan Information Request UCC11.
- 2. Name to be searched A search request should state the full correct name of a debtor or a name variation. Specify whether the debtor is an individual or an organization. A search request will be processed using the exact name requested. The full name of an individual consists of a first, middle, and last name, followed by any title of lineage (such as Jr or III). The full name of an organization is the name stated in the articles of incorporation, or other originating documents, in the state or county of organization.

Show the debtor name to be searched in item #1a if the search is for a debtor organization, or item #1b if the search is for an individual debtor **BUT NOT BOTH**. Only one debtor name can be requested per UCC11 form. Check either all or unlapsed searches in item #2. Check any applicable search options in item #3. Include additional information as required in item #3.

The State UCC Office provides seven types of UCC search reports. The search types and applicable fees are summarized below:

- 1. Search Certificate, Information Listing (Item #3a): This search provides a report ("information listing") of initial financing statements (UCC1s) and related financing statement amendments (UCC3s) and correction statements (UCC5s), listed by file number, file date, and time. The fee for a search certificate is \$6.00. There is an additional \$6.00 fee for a search listing with more than 100 records.
- 2. Copies Only (Item #3b): This search includes copies of active financing statements, amendments, correction statements, and all exhibits and attachments. No information listing is included. Certification and fee statements are included with this full search. The fee is \$6.00 plus \$2.00 per page.
- 3. Search Certificate and Copies (Item #3c): This search includes an information listing with copies of financing statements, amendments, correction statements, including all exhibits, and attachments. The fee for a copy search is \$6.00 plus \$2.00 per page for each page copied.
- **4. Face Copies (Item #3d):** This search includes face pages of active initial financing statements, amendments and correction statements. The fee for a face page search is \$6.00 plus \$2.00 per page.
- 5. Specific Copies (Item #3e): If you request specific information on one or more specific filings, this search includes copies of all requested financing statements, including related financing statement amendments, correction statements, and attachments on file. The fee for a specific copy search is \$6.00 plus \$2.00 per page. The search request must include the file number and date filed for each initial financing statement requested.
- 6. Listing and Copies for Specific Time Period Only (Item #3f): This request provides a listing and copies of financing statements and related filings including the debtor name stated in item #1. A range search includes filings from a specific beginning date to a specific end date. An update search includes filings from a specific date through the current certification date. An information listing is included. The fee is \$6, plus \$2 per page.

7. Listing and Copies for Specific Address Only (Item #3g): This request furnishes a listing and copies of each financing statement for the debtor and specific address indicated. An information listing is included. The fee is \$6 plus \$2 per page.

Search results will be mailed to the name and address shown in item #C. Upon request, search results may be held for counter pickup, or may be returned to the requestor by express mail. The requestor must supply a completed, prepaid return envelope, or charge the shipment to a valid UPS or Federal Express account number.

Fax or e-mail delivery of search results is not available. If these options are requested, the search report will be returned to the submitter by first class mail.

A copy search of financing statements will be processed regardless of the number of copies generated unless the requestor includes a copy limit on the UCC11, **Item #3h**. Copies cannot be limited to less than 100. If the requestor includes a copy limit, for example, "Copies not to exceed 200," and the search copies exceed the limit, the search report will be changed to a search certificate (information listing) only. To obtain copies, the requestor must submit a new search request. New search request and per page copy fees will be required.

If the search type is not specified in the search request, the State UCC Office will provide a search certificate (information listing) only. UCC search requests **may** be accompanied by a fee payment. Search requests with insufficient payment, or billed to an account number, will be processed and the customer billed any additional fees.

Certified seals are typically used in court proceedings. An additional fee is charged when you check UCC 11, **Item #3i**.

SEARCH REQUEST REJECTION REASONS

A search request may be rejected for one or more of the following reasons:

- The request is not communicated by an authorized method or medium.
- □ The request does not legibly identify the debtor name or does not otherwise sufficiently state the boundaries of the requested search.
- □ The request does not legibly identify the name and address of the requesting party.
- The requestor's state billing account is not in good standing.
- □ The search request is a regular, non-expedited request sent by fax.

UCC SEARCH CRITERIA

Initial financing statements (UCC1s) are listed in the UCC information management system database by the debtor's name and the financing statement file number. Business debtor names and names of individual debtors are entered into the UCC database according to the standardized data entry described on page 12.

While searches, other than specific copy searches, are based upon the recorded name of the debtor, they may be qualified or limited. To limit a debtor name search, the following qualifiers in any combination, may be specified on the UCC11 form:

- 1. The debtor's specific street, and/or a specific city, state, zip code;
- 2. Filing date ranges such as before a date, between dates, or after a date.

UCC SEARCH REQUEST GUIDELINES



Review all of the following guidelines before submitting a UCC11 search request. If you have questions on how to ask for a search to meet your specific needs, contact our office at 517.322.1144, before submitting your request.

Standardized search logic creates search results. The following rules apply to searches:

1. The number of matches that may be returned for the search criteria is unlimited (see page 31). When requesting common individual debtor names, qualify your search to a specific middle name, or a specific debtor street address, and/or a specific city, state and zip code (see item (7) below).

- 2. No distinction is made between upper and lower case letters. All names to be searched will be converted to upper case letters. Note: The State UCC Office uses only upper case letters when recording debtor and secured party information in the UCC information management system.
- 3. Punctuation marks and accents are disregarded. The State UCC Office omits commas and periods when recording debtor and secured party information in the UCC information management system

For example, a search request for SPENCER-RUSSELL COMPANY INC will be searched as SPENCER RUSSELL and the search report will list any records with business names such as the following: SPENCER-RUSSELL COMPANY INC; SPENCER RUSSELL COMPANY INC; SPENCER-RUSSELL INC; and SPENCER RUSSELL COMPANY. A search request for SPENCER RUSSELL'S COMPANY INC will be searched as SPENCER RUSSELLS and the search report will list any records with business names such as the following: SPENCER RUSSELL'S COMPANY; SPENCER-RUSSELL'S COMPANY; SPENCER RUSSELL'S COMPANY; and SPENCER RUSSELL'S INC.

4. Certain business endings are noise words. The State UCC Office does not limit searches by noise words. For example, a search request for General Business Co. would produce filings under General Business Assoc., General Business Corp., General Business Inc., and General Business LLC.

The following ending words will be ignored when performing a UCC search:

Agency Association or Assn or Assoc

Attorneys at Law

Bank

National Bank

Business Trust Charter or Chartered

Company or Co

Corporation or Corp Credit Union or CU

Federal Savings Bank or FSB

General Partnership Gen Part or GP

Incorporated or Inc Limited or Ltd or Ltee

Limited Liability Co or LC or

LLC

Limited Liability Partnership or

LLP

Limited Partnership or LP Medical Doctors Professional

Association or MDPA

Medical Doctors Professional Corporation

or MDPC

National Association or NA

Partners or Partnership

Professional Association or Prof Assn or PA

Professional Corporation or Prof Corp or PC Professional Limited Liability Company

Professional Limited Liability Co or PLLC

Railroad or RR

Real Estate Investment Trust or REIT Registered Limited Liability Partnership

or RLLP

Savings Association or SA Service Corporation or SC

Sole Proprietorship or SP or SPA

Trust or Trustee or As Trustee

For example, a search request for SPENCER COMPANY INC will be searched as SPENCER and the search report will list any records with business names such as the following: SPENCER COMPANY INC; SPENCER INC, SPENCER COMPANY, SPENCER LLC. A search request for SPENCER & RUSSELL LLC will be searched as SPENCER & RUSSELL and the search report will list any records with business names such as the following: SPENCER & RUSSELL LLC; SPENCER&RUSSELL LLC; and SPENCER & RUSSELL INC.

- 5. The word "the" is disregarded. The State UCC Office omits "THE" from the beginning of a name when recording debtor and secured party information in the UCC information management system.
- 6. Spaces are disregarded.

For example, a search request for the business name SPENCER RUSSELL will be searched as SPENCER RUSSELL and the search report will list any records with names such as the following: SPENCER RUSSELL; and SPENCERRUSSELL. The search report will not include records with business names such as the following: SPENCER & RUSSELL; SPENCER AND RUSSELL; SPENCER WILLIAMS RUSSELL and RUSSELL SPENCER.

7. An individual name search request that specifies a first name, no middle initial/name, and a last name will include all records containing the last name, first name or the first name initial, any middle name/initial will be included.

For example, a search request for JOHN ADAMS will be searched as J ADAMS and JOHN ADAMS, and the search report will list any records with names such as the following: JOHN ADAMS; J ADAMS; JOHN P ADAMS and JOHN PAUL ADAMS. However, such a search report will not list any records with a name such as the following: JEREMY ADAMS and JOSHUA ADAMS.

An individual name search request that specifies a first name, middle initial and last name will include all records containing the specified last name, the specified first name or the first name initial and the middle initial or any middle name beginning with the specified middle initial.

For example, a search request for JOHN P ADAMS, will be searched as JOHN P ADAMS and J P ADAMS. The search report will list any records with names such as the following: JOHN P ADAMS; JOHN PAUL ADAMS; JOHN PETER ADAMS; J P ADAMS and J PAUL ADAMS. However, the search report will **not** list any record that does not contain a middle name or initial, and will not list such names as the following: JOHN ADAMS and J ADAMS.

An individual name search request that specifies a first name initial, middle name initial and last name will include all records containing the specified last name,

the first name initial or any name beginning with the first name initial, and the middle name initial or any middle name beginning with the middle name initial.

For example a search request for J P ADAMS will be searched as J P ADAMS. The search report will list any records with names such as the following: JOHN P ADAMS; JOHN PAUL ADAMS; J P ADAMS; J PAUL ADAMS; JAMES PETER ADAMS; JOHN ADAMS and J ADAMS.

An individual name search request that specifies a first name, middle name and last name will include all records containing the specified last name, the specified first name or the first name initial, and the specified middle name or the middle name initial.

For example, a search request for JOHN PAUL ADAMS will be searched as JOHN PAUL ADAMS; J PAUL ADAMS; JOHN P ADAMS; J P ADAMS; JOHN ADAMS and J ADAMS. The search report will include any records with the names such as the following: JOHN PAUL ADAMS; J PAUL ADAMS; JOHN P ADAMS; J P ADAMS; JOHN ADAMS and J ADAMS. The search report will **not** list any record containing a different middle name, or middle initial, such as the following: JOHN PATRICK ADAMS or JOHN Q ADAMS.

An individual name search request that specifies a last name only will be searched for any record containing the last name and any first name/initial and/or any or no middle name/initial.

8. Requested name searches indicating a street address will be replaced by a search for the name at any address.

For example, a search request for SPENCER AND RUSSELL COMPANY INC at 144 WATER STREET will be replaced by a search for SPENCER AND RUSSELL. However, if the submitter clearly requests a search for a street address, then the exact address as submitted will be searched.

Before the implementation of UCC Revised Article 9 on July 1, 2001, the standardized data entry of name information included all of the same rules as noted on page 12 except for the name field length. Before July 1, 2001, if a business name or individual last name exceeded 35 characters, abbreviations were sometimes used to "fit" the name into the name field by abbreviating words near the end of the name. As a result, lengthy names may appear in the database either in abbreviated form (pre 7/1/2001) or truncated form (on and after 7/1/2001).

Search Results for Common Names					
Names	Names Retrieved	How Search Will Be			
Requested		Processed			
John J. Smith	John Joseph Smith, John Jerry Smith, John James Smith, John J Smith, John Jeffrey Smith, John Jimmy Smith, John Junior Smith, John J Smith, John Jason Smith, John Julius Smith, John J Smith, John Jonathan Smith	The request will result in 3 searches – 2 searches including 5 names, and 1 search including 2 names			

9. System limitations permit a maximum of five different debtor names on one listing. Additional names are charged as additional searches in groups of five names. Remaining names of less than five will be charged as an additional search. Although qualifiers can be added to a debtor search, the search of the UCC database will match records exactly meeting all of the qualifiers.

For example, a search request for debtor "SPENCER AND RUSSELL COMPANY INC" at "144 WATER STREET" would locate records with a debtor SPENCER AND RUSSELL COMPANY INC located at 144 WATER STREET, and would **not** include records such as the following:

SPENCER AND RUSSELL COMPANY INC at 100 WATER STREET; and SPENCER AND RUSSELL COMPANY INC at 144 GREEN STREET.

Under the search rules mentioned above, names are distinguishable by the presence or absence of articles, other than "the" at the beginning of a name, conjunctions or prepositions as symbols or words. including "a," "and," "of," "in," "at," and "plus".

For example, a search request for "SPENCER AND RUSSELL" would not reveal "SPENCER RUSSELL CO INC".

Due to system limitations, slight variations of address such as "AVE" for "AVENUE," "DR" for "DRIVE," "RD" for "ROAD," and "ST" for "STREET" may be reported in search results. For some debtor names containing the words "AND" entered before 07/01/01 the "AND" will be reported as "&," the ampersand symbol.

The State UCC Office will attempt to perform a search based upon an explicit, customized request. However, some searches outside the search rule boundaries may not be possible.

UCC SEARCH REPORTS

A search report issued by the State UCC Office will include the following information:

- A certification by the State UCC Office of the search results;
- The date the report was generated;
- The certification date applicable to the report (i.e., the date through which all UCC documents have been filed and verified on system);
- Identification of each active initial financing statement by name of debtor, by filing number, and by file date and time;
- For each initial financing statement on the report, a listing of all related UCC documents filed on or before the certification date; and if requested, copies of UCC documents discovered by the search.

SEARCH REPORTS THAT INCLUDE PRE 7/1/2001 FINANCING STATEMENTS

Under the "old" UCC Article 9, a filing was excluded and considered "inactive" for search reporting purposes if the statement had previously lapsed or been terminated. If the searched debtor previously changed names and had no filings under the old name, the debtor name was deleted.

Under the new Revised Article 9, all lapsed and terminated filings remain for search reporting purposes until one year after the initial financing statement lapses or would have lapsed, at which point the filing becomes excluded and "inactive."

Search results after July 1, 2001, may report different results than searches processed before July 1, 2001.

Searches involving Financing Statements that have lapsed or been terminated:

Financing statements that lapsed or terminated before July 1, 2001, **will not** be included in search reports on or after July 1, 2001.

Financing statements that lapsed or terminated on or after July 1, 2001, will be included in search reports, up to one year after the lapse date.

For example, an initial financing statement filed on March 15, 1996, names Mary Jones as a debtor. No continuation is filed for this financing statement and the statement lapses on March 15, 2001. A search on August 1, 2001, **would not** include the financing statement listing Mary Jones as a debtor.

An initial financing statement filed on July 16, 1996, names Mary Jones as a debtor. No continuation is filed for this financing statement and the statement lapses on July 16, 2001. A search on August 1, 2001, **would** include the financing statement listing Mary Jones as a debtor.

An initial financing statement filed on December 30, 1999, names Mary Jones as a debtor. On March 30, 2000, a UCC3 is filed terminating the financing statement. A search on August 1, 2001, listing Mary Jones as a debtor **would not** include the financing statement.

An initial financing statement filed on December 30, 1999, names Mary Jones as a debtor. On July 30, 2001, a UCC3 amendment is filed terminating the financing statement. A search on August 1, 2001, **would** include the financing statement listing Mary Jones as a debtor.

Searches containing Secured Parties whose interests have been assigned:

Financing statements naming a secured party whose interests were assigned in UCC3 filings made before July 1, 2001, **will** be included on search reports on or after July 1, 2001.

Financing statements naming a secured party whose interests were assigned in UCC3 filings made on or after July 1, 2001, **will** be included on search reports on or after July 1, 2001.

For example, an initial financing statement filed on December 30, 1999, names General Bank the secured party. On March 30, 2000, a UCC3 is filed assigning the interests of General Bank to General Trust Company. A search on August 10, 2001, for all financing statements **will** list both general bank and general trust company as secured parties.

GLOSSARY

ACTIVE FINANCING STATEMENT – An initial financing statement currently in effect. Once accepted for filing by the State UCC Office, it remains effective until one year after the financing statement lapses, even if a termination statement is filed before the lapse date. Transmitting utility financing statements are effective until one year after all secured parties terminate the financing statement.

AS-EXTRACTED COLLATERAL – Oil, gas, or other minerals subject to a security interest that: (a) is created by a debtor having an interest in the minerals before extraction; and (b) attaches to the minerals as extracted. As-extracted collateral also means accounts arising from the sale at the wellhead or minehead of oil, gas, or other minerals in which the debtor had an interest before extraction.

ASSIGNMENT – An amendment that authorizes the transfer of all or a part of a secured party's interest in specific financing statement collateral.

COLLATERAL – The property subject to a security interest or agricultural lien. The term includes: (a) proceeds to which a security interest attaches; (b) accounts, chattel paper, payment intangibles, and promissory notes that have been sold; and (c) goods that are the subject of a consignment.

CONTINUATION – An amendment that renews the effectiveness of a financing statement.

CORRECTION STATEMENT – A UCC document that indicates a financing statement is inaccurate or wrongfully filed.

DEBTOR – A person having an interest, other than a security interest or other lien, in the collateral, whether or not the person is an obligor; a seller of accounts, chattel paper, payment intangibles, or promissory notes; or a consignee.

FINANCING STATEMENT – An original, initial filing and all related UCC documents.

FINANCING STATEMENT AMENDMENT – A UCC document that changes the information contained in an initial financing statement. Amendments include assignments, continuations, and terminations.

FIXTURE FILING – Filing a financing statement covering goods that either are or will become fixtures. The term includes financing statements covering goods of a transmitting utility, which are or are to become fixtures.

FIXTURES – Goods that have become part of the real property, once installed, so that an interest in them arises under real property law.

INITIAL FINANCING STATEMENT – An original UCC document establishing a first time record in the State UCC Office's information management system.

MANUFACTURED-HOME TRANSACTION – A secured transaction: (a) that creates a purchase-money security interest in a manufactured home, other than a manufactured home held as inventory; or (b) in which a manufactured home, other than a manufactured home held as inventory, is the primary collateral.

PUBLIC-FINANCE TRANSACTION – A secured transaction in connection with (a) debt securities issued; (b) all or a portion of the securities with an initial stated maturity of at least 30 years; and (c) the debtor, obligor, secured party, account debtor or other person obligated on collateral, assignor or assignee of a secured obligation, or assignor or assignee of a security interest is a state or the governmental unit of a state.

TERMINATION – An amendment authorized by the secured party that states the financing statement is no longer in effect.

TRANSMITTING UTILITY – A person or organization primarily engaged in the business of: (a) operating a railroad, subway, street railway, or trolley bus; (b) transmitting communications electrically, electro magnetically, or by light; (c) transmitting goods by pipeline or sewer; or (d) transmitting or producing and transmitting electricity, steam, gas or water.

UCC – Revised Article 9 of the Uniform Commercial Code as enacted in Michigan at MCL §440.9101 through §440.9709.

UCC DOCUMENT – An initial financing statement, an amendment, an assignment, a continuation, a termination, or a correction statement. The word "document" in this term includes paper or paper-based writings as well as documents expressed or transmitted electronically or through media other than writings.

STATE UCC OFFICE - The Michigan Department of State section responsible for executing the duties and functions of the Secretary of State, relating to Uniform Commercial Code financing statements.

NATIONAL FINANCING STATEMENTS National Financing Statement Sample Form UCC1 (Rev 7/29/98)

• Sample form - reduced in size. Use full-size forms available at: www.sos.state.mi.us/ucc

UCC FINANCING STATEMEN					
A. NAME & PHONE OF CONTACT AT FILER					
B. SEND ACKNOWLEDGMENT TO: (Name	and Address)				
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L		┦,	HE ABOVE SPACE IS	FOR FILING OFFIC	E USE ONLY
DEBTOR'S EXACT FULL LEGAL NAME- Tal ORGANIZATION'S NAME	insert only one debtor name (1a or				
OR 16. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDI	DLE NAME	SUFFIX
1c. MAILING ADDRESS	,	СІТҮ	STA	TE POSTAL CODE	COUNTR
1d. TAX ID #: SSN OR EIN ADD'L INFO RE 16 ORGANIZATION	TYPE OF ORGANIZATION	1f. JURISDICTION OF ORGANI	ZATION 1g. C	DRGANIZATIONAL ID #,	_
2. ADDITIONAL DEBTOR'S EXACT FULL LE		olor name (2a or 2b) - do not abbr	eviate or combine names		
2s. ORGANIZATION'S NAME					
OR 2b. INDIVIDUAL'S LAST NAME		FIRST NAME	мю	DLE NAME	SUFFIX
2c. MAILING ADDRESS		CITY	STA	TE POSTAL CODE	COUNTR

2d. TAX ID #: SSN OR EIN ADD'L INFO RE 2e ORGANIZATION DEBTOR	TYPE OF ORGANIZATION	21. JURISDICTION OF ORGANIZ	ATION 2g. C	DRGANIZATIONAL ID#,	if any
3. SECURED PARTY'S NAME (or NAME of T	DTAL ASSIGNEE of ASSIGNOR S	/P) - insert only one secured party	name (3a or 3b)	•	
OR 3b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDI	DLE NAME	SUFFIX
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4. This FINANCING STATEMENT covers the following				•	
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National Financing Statement Addendum Sample Form UCC1Ad (Rev 7/29/98)

• Sample form - reduced in size. Use full-size forms available at: www.sos.state.mi.us/ucc

	nd back) CAREFULLY or 1b) ON RELATED FINANCING S	STATEMENT				
98. ORGANIZATION'S NAME						
OR 96. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	E,SUFFIX			
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11. ADDITIONAL DEBTOR'S EXA	CT FULL LEGAL NAME - insert only o	<u>ns</u> name (11a or 11b) - do	not appreviate or combine	names		
OR 11b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE	NAME	SUFFIX
11c. MAILING ADDRESS		СПУ		STATE	POSTAL CODE	COUNTRY
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OR 12b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE	NAME	SUFFIX
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13. This FINANCING STATEMENT cove	rs timber to be cut or as-extract	ted 16. Additional collate	eral description:			
collateral, or is filed as a fixture 14. Description of real estate:	filing.					
15. Name and address of a RECORD O						
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National Financing Statement Amendment Sample Form UCC3 (Rev 7/29/98)

• Sample form - reduced in size. Use full-size forms available at: www.sos.state.mi.us/ucc

UCC FINANCING ST	TATEMENT AMENDN	MENT			
FOLLOW INSTRUCTIONS (from	t and back) CAREFULLY				
B. SEND ACKNOWLEDGMENT					
B. SEND ACKNOWLEDGMENT	TO: (Name and Address)	-			
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l 1					
1s, INITIAL FINANCING STATEMEN	T FILE#		THE ABOVE SPA	ACE IS FOR FILING OFFICE US 1b. This FINANCING STATEME	NT AMENDMENT
				to be filed [for record] (or rec	corded) in the
	ess of the Financing Statement identified				
CONTINUATION: Effective continued for the additional process.	eness of the Financing Statement identif eriod provided by applicable law.	ied above with respect to security in	iterest(s) of the Secured	Party authorizing this Continuation	Statement is
4. ASSIGNMENT (full or partia	al): Give name of assignee in item 7a or	7b and address of assignee in item 7	c; and also give name of	assignor in item 9.	
	RMATION): This Amendment affects		of record. Check only o	ng of these two boxes.	
	se boxes <u>and</u> provide appropriate informs s: Give current record name in item 6a or 7a or 7b and/or new address (if address		name: Give record nam eted in item 6s or 6b.	e ADD name: Complete item item 7c; also complete item	7a or 7b, and also
		cnangej in item /cto be dei	eted in item 62 or 65.	Lem /c; also complete item	s 7d-7g (if applicat
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6. CURRENT RECORD INFORM. 6a. ORGANIZATION'S NAME					
		FIRST NAME		MIDDLE NAME	SUFFIX
OR 6b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE NAME	SUFFIX
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National Financing Statement Amendment Sample Form UCC3Ad (Rev 7/29/98)

• Sample form - reduced in size. Use full-size forms available at: www.sos.state.mi.us/ucc

o	. NAME OF PARTY AUTHORIZING THIS / 126. ORGANIZATION'S NAME 126. INDIVIDUAL'S LAST NAME . Use this space for additional information	AMENDMENT (same as liem 9 on Am	endment form) MIDDLE NAME, SUFFIX	THE ABOVE SPAC	É IS FOR FILING OI	FFICE USE ONLY
o	126. ORGANIZATION'S NAME			THE ABOVE SPAC	É JS FOR FILING OI	
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Correction Statement Sample Form UCC5 (Rev 5/1/01)

• Sample form - reduced in size. Use full-size forms available at: www.sos.state.mi.us/ucc

CORRECTION STATEMENT FOLLOW INSTRUCTIONS (front and back) CAI	REFLIELY		
ADNAME & PHONE OF PERSON FILING THIS S	TATEMENT (optional)		
BUSEND ACKNOWLEDGMENT TO: (Name an	d Address)		
L	اـــ	THE ABOVE SPACE IS FOR FILIN	C OFFICE INC. ONLY
Indentification of the RECORD to which this CORR		# OF INITIAL FINANCING STATEMENT	G OFFICE USE ONLY
RECORD is inaccurated			
be RECORD was wrongfully filed □ Provide the basis for the belief of the pers	on identified in item 4 that the RECORD ident	led in item 1 was wrongfully filed⊡	
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Provide the basis for the belief of the person of the pers	DRD filed (or recorded) in a filing office described in NCING STATEMENT identified in item to above w 350TM	section 9-501(a)(1) and this CORRECTION STAT filed for recorded[D	

Michigan Information Request Sample Form UCC11 (Rev 10/19/01)

• Sample form - reduced in size. Use full-size forms available at: http://www.sos.state.mi.us/ucc/

A. NAI	W INSTRUCTION PAGE CAREFULLY ME & PHONE OF CONTACT	B. ACCOUNT	7		
C. RE	TURN TO: (Name & Address)				
L			THE ABOVE	SPACE IS FOR FILING OFFIC	CE USE ONLY
. SEAF	RCH TYPE: EXPEDITED (Additional	Fee) RE	GULAR 🗌		
	VERY INSTRUCTIONS: REGULAR MAIL	☐ PIC	CK UP	EXPRESS MAIL (See Belov	v) 🗆
XPRE	SS MAIL NAME	EX	PRESS ACCOUNT	#	
DEB	TOR NAME TO BE SEARCHED - Insert only one de	btor name (1a or 1b) -	Do not abbreviate o	combine names	
	1a. ORGANIZATION'S NAME				
OR	1b. INDIVIDUAL'S LAST NAME	FIRST	NAME	MIDDLE NAME	SUFFIX
		1			<u> </u>
. DOC	UMENT OPTIONS:				
	All (Includes lapsed filings)	Unla _l	osed		
SEA	RCH OPTIONS:				
3a.	SEARCH CERTIFICATE – Furnish a listing of f	inancing statements ar	nd tax liens. No cop	es are provided.	
3 b.	COPIES ONLY - Furnish copies of financing s	tatements and tax lien	s.		
3c.	SEARCH CERTIFICATE and COPIES – Furnis	sh a listing and copies	of financing statemen	nts and tax liens.	
3d.	FACE COPIES – Furnish copies of the FIRST	PAGE ONLY of financ	ing statements and t	ax liens.	
3e.	SPECIFIC COPIES – Furnish copies of each p document file number.	age of the financing sta	atements and related	subsequent filings, identified b	elow by
	FILE NUMBER DATE FILE	D FILE	NUMBER	DATE FILED	
3f	LISTING AND COPIES FOR SPECIFIC TIME	F PERIOD ONLY - PE	GINNING DATE		
Ji	ENDING DATE	LI LIGOD ONET - DE	GINING DATE		
3g.	LISTING AND COPIES FOR SPECIFIC ADD	RESS ONLY - Identify	the address to be s	earched	
3h	LIMIT COPIES – State the number of copies If copies exceed limit stated, a listing only ser				
	in copies exceed little stated, a listing only see	aron will be performed.	TO Obtain copies, a	abilità new search request	
3 i.	CERTIFIED SEAL – Additional fee required.	aron will be performed.	TO obtain copies, s	abilit a new search request	

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FEE SCHEDULE

Filings*	Standard Fees	Additional Fees
First Two Debtor Names Per Additional Debtor Name	\$10	\$10
Non-Standard Form		\$7
Filing & Attachments Over 100 Pages		\$12
Searches		
Each Debtor Name	\$6	
Expedited Search, Per Debtor Name		\$25
Listing Over 100 Records		\$6
Filing Copies, Per Page		\$2
Request for Official Seal		\$6

^{*} Fees apply to all UCC1 and UCC3 filings, including terminations.